

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL ANTHONY KREYLING,

Plaintiff,

vs.

SAN MATEO COUNTY SHERIFF'S
DEPARTMENT,

Defendants.

No. C 08-2006 JSW (PR)

ORDER OF DISMISSAL

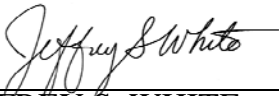
Plaintiff, a California prisoner proceeding pro se, filed the above-titled civil rights action on April 17, 2008. That same date, the Court notified Plaintiff in writing that the action was deficient due to his failure to pay the requisite filing fee or, instead, submit a completed court-approved in forma pauperis ("IFP") application. While Plaintiff submitted a trust account statement, he did not submit either an IFP application or a completed certificate of funds form. Plaintiff was advised that his failure to pay the filing fee within thirty days or, alternatively, to file a completed IFP application would result in dismissal of the action. Along with said notice, Plaintiff was sent a copy of the Court's IFP application, instructions for completing it, and a return envelope. Plaintiff has not submitted the requisite IFP materials nor has he paid the filing fee.¹

¹On May 19, 2008, the Court received a letter from Plaintiff stating that he is attempting to locate an attorney and that he is facing pending criminal charges. Plaintiff did not address his deficient IFP application or his failure to pay the filing fee.

1 As more than thirty days have passed since the deficiency notice and plaintiff has
2 not completed the IFP application or paid the filing fee, the above-titled action is hereby
3 DISMISSED without prejudice. The Clerk shall enter judgment and close the file.

4 IT IS SO ORDERED.

5 DATED: May 30, 2008

6 
7 _____
JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DANIEL A KREYLING,
Plaintiff,

Case Number: CV08-02006 JSW

CERTIFICATE OF SERVICE

v.


SAN MATEO COUNTY et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 30, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Daniel A. Kreyling
San Mateo County Jail
#206696
300 Bradford Street
San Mateo, CA 94063

Dated: May 30, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk